

# **BOARD OF BARBERING AND COSMETOLOGY**

## **INITIAL STATEMENT OF REASONS**

**Hearing Date:** December 5, 2005

**Subject Matter of Proposed Regulations:** Pre-application for Apprenticeship Applicants.

**Section Affected:** Section 928 of Article 4 of Division 9 of Title 16 of the California Code of Regulations.

### **Background**

The Board is required by Statute of 2002, Chapter 580 (AB 2743) to adopt regulations providing for the submittal of applications for examination of students from an approved cosmetology, electrology, or barbering school who have completed at least 75 percent of the required course curriculum (60 percent for students of the manicurist course). In addition, any person licensed as an apprentice in barbering, cosmetology, skin care, or nail care who has completed at least 75 percent of the required apprenticeship training hours are also eligible. The regulations include provisions that require the board to receive proof of the applicant's qualifications before the applicant is admitted for examination.

An application for examination that is submitted by a student (from an approved school) meeting the above criteria is known as a "pre-application" and an additional processing fee is required. Through the pre-application process, the board schedules and administers the licensing examination for the applicant no later than 10 working days from the anticipated date of course completion. Since the statute states that a person licensed as an apprentice is also eligible for this process, the board will need to amend the current regulation to include apprentices.

The proposed language is necessary to amend and implement the "apprenticeship preapplication" process enacted by Business and Professions Code § 7337.5.

### **Specific Purpose of each adoption, amendment, or repeal:**

The Board proposes to amend Section 928 to include language pertaining to any person licensed as an apprentice in barbering, cosmetology, skin care, or nail care. The amendment shall include language that ensures that all proof of qualifications of the apprentice is received by the board before the apprentice is examined.

**Factual Basis/Rationale**

Section 928 outlines the process for preapplication as it exists. However, the section only refers to applicants from an approved barbering, cosmetology, or electrology school. The amendment would provide language to include any person licensed as an apprentice.

All references in Section 928 regarding proof of qualification documents required for preapplication are specific to those documents provided only by an approved school. The amendment will include references to qualification documents applicable to an apprentice (certificate of apprenticeship completion).

Finally, references to the form # 03A-257 (Request for Pre-Application) will require amendments because the form has been revised to include apprenticeship and issued a new form number.

**Underlying Data**

None

**Business Impact**

This regulation will not have a significant adverse economic impact on nongovernment businesses. However, due to a shortage of staffing, this regulation amendment will have a significant impact on the Board's ability to manage the additional workload in the Board's preapplication unit and will increase delays in processing times of preapplications.

**Specific Technologies or Equipment**

This regulation does not mandate the use of specific technologies or equipment.

**Consideration of Alternatives**

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.